

AMENDED IN ASSEMBLY JUNE 2, 2005

**SENATE BILL**

**No. 638**

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**Introduced by Senator Torlakson**  
***(Coauthors: Senators Alquist, Denham, Lowenthal, Romero,***  
***Simitian, and Soto)***

February 22, 2005

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An act to amend Section 8483.55 of the Education Code, relating to child care.

LEGISLATIVE COUNSEL'S DIGEST

SB 638, as amended, Torlakson. After School Education and Safety Program.

Existing law, enacted by initiative statute, establishes the After School Education and Safety Program to serve pupils in kindergarten and grades 1 to 9, inclusive, at participating public elementary, middle, junior high, and charter schools. Existing law provides a formula for determining an amount to be continuously appropriated from the General Fund to the State Department of Education for purposes of the program. Existing law allows the department to spend 1 ½% of the appropriated funds to cover evaluation costs, to provide training and support, and to pay its costs of awarding and monitoring grants. The initiative statute authorizes the Legislature to amend certain of its provisions to further the purposes of the statute by majority vote of each house.

This bill would require that the training and support provided by the department include, but not be limited to, the development and distribution of voluntary guidelines for physical activity programs, as specified.

The bill would make findings and declarations of the Legislature that its provisions further the purpose of the act.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. ~~(a)~~ The Legislature finds and declares all of the  
2 following:  
3     ~~(1)~~  
4     ~~(a)~~ California and the nation as a whole are experiencing an  
5 epidemic in childhood obesity and dramatically increased rates of  
6 Type 2 diabetes.  
7     ~~(2)~~  
8     ~~(b)~~ The health ramifications of this crisis are well documented  
9 and will incur enormous human and financial costs to the state.  
10    ~~(3)~~  
11    ~~(c)~~ Federal, state, local, and community resources are  
12 available to schools and community organizations to integrate  
13 nutrition education and physical activity into programs for youth,  
14 but these resources are frequently underutilized.  
15    ~~(4)~~  
16    ~~(d)~~ After school programs offer flexible time for enrichment  
17 activities and are thus an ideal forum for teaching and promoting  
18 overall physical health and well-being.  
19    ~~(5)~~  
20    ~~(e)~~ It is, therefore, the intent of the Legislature that the State  
21 Department of Education provide information to each After  
22 School Education and Safety Program grant recipient on the  
23 resources available to promote nutrition and physical activity.  
24 This information shall be provided using existing department  
25 communications with the grant recipients, including, but not  
26 limited to, regional leads, regularly scheduled site visits, and  
27 training events.  
28    SEC. 2. Section 8483.55 of the Education Code is amended to  
29 read:  
30    8483.55. From the funds appropriated pursuant to subdivision  
31 (b) of Section 8483.5, the department may spend 1 ½ percent to  
32 cover evaluation costs and to provide training and support to  
33 ensure quality program implementation, development, and  
34 sustainability and may pay its costs of awarding and monitoring  
35 grants. Training and support shall include, but not be limited to,

1 the development and distribution of voluntary guidelines for  
2 physical activity programs established pursuant to paragraph (2)  
3 of subdivision (c) of Section 8482.3 that expand the learning  
4 opportunities of the schoolday.

5 SEC. 3. The Legislature finds and declares that the  
6 ~~amendment~~ *amendments* made to Section 8483.55 of the  
7 Education Code by Section 2 of this act further the purpose of the  
8 After School Education and Safety Program Act of 2002.